

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION

UNITED STATES OF AMERICA ex rel.
CORI RIGSBY and KERRI RIGSBY

RELATORS/COUNTER-DEFENDANTS

v.

CASE NO. 1:06cv433-HSO-RHW

STATE FARM FIRE AND CASUALTY COMPANY DEFENDANT/COUNTER-PLAINTIFF

UNOPPOSED MOTION FOR STAY PENDING APPEAL

State Farm Fire and Casualty Company (“State Farm”) moves for a stay of execution pending appeal, and in support of its motion states the following:

1. On Feb. 21, 2014, this Court entered a Federal Rule of Civil Procedure 54(b) Final Judgment on All of Relators Claims which granted judgment against State Farm in the amount of \$758,250, with fees and expenses in the sum of \$2,913,228.69. (Doc. 1129).
2. On April 14, 2014, this Court entered a Memorandum Opinion and Order Denying Defendant State Farm Fire and Casualty Company’s Motion to Alter or Amend Judgment (Doc. 1140).
3. Both parties have now filed timely notices of appeal to the United States Court of Appeals for the Fifth Circuit.
4. State Farm seeks a stay of execution pending the prosecution of its appeal and, should it be necessary, the filing of a writ of certiorari and any consideration of the case by the United States Supreme Court.
5. The United States of America has not requested that a bond be posted pending appeal.

6. Relators Cori Rigsby and Kerri Rigsby have agreed to not require the posting of a supersedeas bond pursuant to Fed. R. Civ. P. 62(d).

For these reasons, this Court should grant this motion and stay execution of its February 21, 2014 Judgment pending prosecution of the appeals and, should it be necessary, the filing of a writ of certiorari and any consideration of the case by the United States Supreme Court.

This the 28th day of May, 2014.

Respectfully submitted,

STATE FARM FIRE AND CASUALTY COMPANY

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CERTIFICATE OF SERVICE

I, Robert C. Galloway, one of the attorneys for State Farm Fire and Casualty Company, do hereby certify that I have this day caused a true and correct copy of the foregoing instrument to be delivered to the following via the means directed by the Court's CM/ECF System:

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THIS the 28th day of May, 2014.

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